

AM1261
LB 367
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AMENDMENTS TO LB 367

1 1. Insert the following new section:

2 "Sec. 2. Section 81-15,121, Reissue Revised Statutes of
3 Nebraska, is amended to read:

4 81-15,121. (1) A person shall not (a) maintain or use
5 any tank for the storage of regulated substances, (b) install any
6 new tank, or (c) permanently close a tank without first securing a
7 permit from the State Fire Marshal.

8 (2) A fee shall not be charged for a permit under
9 subdivision (1)(a) or (c) of this section. The fee for a permit
10 for installation shall be fifty dollars. The State Fire Marshal
11 shall remit the fee to the State Treasurer for credit to the
12 Underground Storage Tank Fund.

13 (3) All owners of operating tanks, except those provided
14 for in subsection (4) of this section, shall annually register each
15 tank. All registration permits shall expire on December 31 of the
16 year for which the permit was issued. The registration fee shall
17 be thirty dollars per tank. The State Fire Marshal shall remit the
18 fee to the State Treasurer for credit to the Underground Storage
19 Tank Fund. Such permits shall contain the information specified in
20 subsection (5) of this section.

21 (4) In the case of tanks permanently abandoned on or
22 after January 1, 1974, an annual permit shall not be required and
23 an initial registration permit shall be sufficient.

24 (5) The application for a registration permit shall be

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1 provided by and filed with the State Fire Marshal's office and
2 shall require, but not be limited to, the following information:

3 (a) The date the tank was placed in or taken out of
4 operation;

5 (b) The age of the tank;

6 (c) The size, type, and location of the tank; and

7 (d) The type of substances stored in the tank and the
8 quantity of such substances remaining in the tank if the tank has
9 been permanently closed.

10 (6) The registration permit fee collected pursuant to
11 this section shall be deposited in the Underground Storage Tank
12 Fund which is hereby created as a cash fund. The fund shall also
13 consist of any money appropriated to the fund by the state. The
14 fund shall be administered by the State Fire Marshal to carry out
15 the purposes of the Petroleum Products and Hazardous Substances
16 Storage and Handling Act. Any money in such fund available for
17 investment shall be invested by the state investment officer
18 pursuant to the Nebraska Capital Expansion Act and the Nebraska
19 State Funds Investment Act.

20 (7) The State Treasurer shall, within five days after the
21 operative date of this act, transfer three hundred thousand dollars
22 from the Underground Storage Tank Fund to a city of the
23 metropolitan class to carry out the federal Residential Lead-Based
24 Paint Hazard Reduction Act of 1992, 42 U.S.C. 4851 et seq., as such
25 act existed on the operative date of this act.".

26 2. Amend the repealer and renumber the remaining
27 sections accordingly.